

AMENDED IN SENATE SEPTEMBER 14, 2001

AMENDED IN ASSEMBLY MAY 3, 2001

AMENDED IN ASSEMBLY APRIL 18, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1296

Introduced by Assembly Member Papan Thomson

February 23, 2001

~~An act to amend Sections 8422 and 8423 of the Fish and Game Code, relating to market squid, and making an appropriation therefor. An act to amend Section 99622 of the Public Utilities Code, relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1296, as amended, ~~Papan—Thomson. Market—squid~~
Transportation: commuter rails.

The Clean Air and Transportation Improvement Act of 1990 authorizes the California Transportation Commission to allocate certain bond funds in specified amounts to specified transportation projects, including not more than \$35,000,000 for commuter rail service between the Cities of Auburn and Davis.

Except as otherwise specified, amendment of the act is authorized only by statute passed in each house of the Legislature by rollcall vote entered in the journal, ⁴/₅ of the membership concurring, if the statute is consistent with, and furthers the purposes of, the act.

This bill would expand the purposes for which the \$35,000,000 may be expended to include intercity rail service and would specify that the service is to be between the Cities of Auburn and Dixon.

~~Under existing law, until April 1, 2003, the fee for a commercial market squid vessel permit and the fee for a commercial squid light boat owner's permit is \$400.~~

~~This bill would increase each of those fees to \$410.~~

~~Under existing law, the proceeds of fees collected pursuant to the Fish and Game Code are deposited in the Fish and Game Preservation Fund, a continuously appropriated fund.~~

~~To the extent this bill would increase the amount of fees deposited in that fund, the bill would make an appropriation.~~

Vote: ~~majority~~ ^{4/5}. Appropriation: ~~yes~~ *no*. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. — Section 8422 of the Fish and Game Code is~~
2 ~~SECTION 1. Section 99622 of the Public Utilities Code is~~
3 ~~amended to read:~~
4 99622. Two hundred thirty million dollars (\$230,000,000)
5 shall be allocated to the department for all of the following:
6 (a) Improvements to the Los Angeles-Fresno-San Francisco
7 Bay Area passenger rail corridor and extension of the corridor to
8 Sacramento, one hundred forty million dollars (\$140,000,000),
9 including at least sixty million dollars (\$60,000,000) for rail
10 rehabilitation and other rail improvements to provide intercity rail
11 service between Fresno and Oakland via Madera, Merced,
12 Turlock, and Modesto, and not more than thirty million dollars
13 (\$30,000,000) for rehabilitation and other rail improvements to
14 provide intercity rail service between Stockton and Sacramento
15 via Lodi and Galt.
16 (b) Preliminary engineering and feasibility studies of a high
17 speed passenger rail link between Bakersfield and Los Angeles,
18 five million dollars (\$5,000,000).
19 (c) Implementation of intercity rail service from Placer County
20 to Santa Clara County, eighty five million dollars (\$85,000,000),
21 of which not more than thirty five million dollars (\$35,000,000)
22 shall be for commuter rail *or intercity rail* service between Auburn
23 and ~~Davis~~ *Dixon*, including funding for right-of-way acquisition.
24 Service to Woodland may also be provided, if deemed practicable
25 by the department.
26 ~~amended to read:~~

1 ~~8422. (a) The fee for a commercial market squid vessel~~
2 ~~permit is four hundred ten dollars (\$410).~~

3 ~~(b) All applications for a commercial market squid vessel~~
4 ~~permit for the 1998-99 permit year shall be received by the~~
5 ~~department on or before April 30, 1998, or, if mailed, shall be~~
6 ~~postmarked by April 30, 1998. In order to renew a permit, an~~
7 ~~applicant shall have been issued a commercial market squid vessel~~
8 ~~permit in the immediately preceding year. Applications for~~
9 ~~renewal of the permit shall be received by the department on or~~
10 ~~before April 30 of each year, or, if mailed, shall be postmarked by~~
11 ~~April 30 of each year.~~

12 ~~(c) Notwithstanding Section 7852.2, a penalty of two hundred~~
13 ~~fifty dollars (\$250) shall be paid in addition to the fee required~~
14 ~~under subdivision (a) for applications that do not meet the deadline~~
15 ~~specified in subdivision (b) but that are received by the department~~
16 ~~on or before May 31 of any year.~~

17 ~~(d) The department shall deny all applications received after~~
18 ~~May 31 of each year, and the application shall be returned to the~~
19 ~~applicant who may appeal the denial to the commission. If the~~
20 ~~commission issues a permit following an appeal, it shall assess the~~
21 ~~late penalty prescribed by subdivision (c).~~

22 ~~SEC. 2. Section 8423 of the Fish and Game Code is amended~~
23 ~~to read:~~

24 ~~8423. (a) No person shall operate a squid light boat unless the~~
25 ~~owner of the boat has been issued a commercial squid light boat~~
26 ~~owner's permit by the department and a permit number is affixed~~
27 ~~to the boat in the manner prescribed by the department.~~

28 ~~(b) The department shall issue a commercial squid light boat~~
29 ~~owner's permit to a person who submits an application, pays the~~
30 ~~permit fee, and meets the other requirements of this section.~~

31 ~~(c) The department may regulate the use of squid light boats~~
32 ~~consistent with the regulations established for commercial squid~~
33 ~~vessels.~~

34 ~~(d) The fee for a commercial squid light boat owner's permit~~
35 ~~is four hundred ten dollars (\$410).~~

36 ~~(e) It is unlawful for a person to engage in the following~~
37 ~~activities, unless the vessel used for the activity has been issued a~~
38 ~~commercial market squid vessel permit or the person holds a~~
39 ~~commercial squid light boat owner's permit.~~

1 ~~(1) Attracting squid by light displayed from a vessel, except~~
2 ~~from a vessel deploying nets for the take, possession, and landing~~
3 ~~of squid or except from the seine skiff of the vessel deploying nets~~
4 ~~for the take, possession, and landing of squid.~~

5 ~~(2) Attracting squid by light displayed from a vessel whose~~
6 ~~primary purpose is other than the deployment, or assistance in the~~
7 ~~deployment, of nets for the take, possession, and landing of squid.~~

8 ~~(f) A commercial squid light boat owner's permit shall be~~
9 ~~issued to a person who is the owner of record of a vessel that is~~
10 ~~registered with the department pursuant to Section 7881. For~~
11 ~~purposes of this subdivision, an owner includes any person who~~
12 ~~has a lease-purchase agreement for the purchase of a vessel.~~

